OIPE
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PATENT & TRADEMARK OFFICE

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Bernardino Ghetti, et al.

Application No.: 10/684,742

Filed: October 14, 2003

For: "FERRITIN LIGHT SUBUNIT VARIANT-ENCODING NUCLEIC ACIDS, POLYPEPTIDES, TRANSGENIC ANIMALS COMPRISING THE SAME, ANTIBODIES THERETO, AND METHODS OF USE THEREOF"

**Certificate of Mailing Under 37 CFR §1.8(a)**

I hereby certify that this Correspondence is being deposited on August 30, 2004 with the United States Postal Service as first-class mail in an envelope properly addressed to COMMISSIONER FOR PATENTS, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.

Janice M Nightlinger

Janice M. Nightlinger

COMMISSIONER FOR PATENTS
Mail Stop Missing Parts
P.O. Box 1450, Alexandria, VA 22313-1450

**Applicants' Response to Notice to File Missing Parts**

Dear Sir:

In response to the Notification of Missing Parts of Nonprovisional Application dated August 11, 2004 a copy of which is enclosed herewith, we are completing the above-identified U.S. Patent Application of Bernardino Ghetti, et al., U.S. Patent Application No. 10/684,742.

The Notice to File Missing Parts required submission of:
Oath or Declaration
Replacement Drawings
Sequence Listing and Computer Readable Diskette
Declaration Surcharge

We are hereby submitting:

Copy of Notification of Missing Parts Dated August 11, 2004
1 Sheet of Declaration, Power of Attorney and Power to Inspect
Replacement Drawings for Figures 9A, 9B, 13C & 13F

- continued -

Submission of Sequence Listing Under 37 CFR §§1.821-1.825
Paper Copy of Sequence Listing
Computer Readable Diskette
Assignment Recordation Cover Sheet
1 page of executed Assignment
Copy of first page of marked-up Filing Receipt with corrections noted thereon
Check in the amount of **$105.00** (Late Surcharge and Assignment Recordation filing fee)

The drawings (9A, 9B, 13C, and 13F) were objected to because they are allegedly not electronically reproducible. Upon review of the objected drawings, applicants note that they are micrographs showing cellular material, and are of the highest quality. Applicants contacted Monica Young a OIPE on Thursday August 19th. Ms. Young indicated that applicants should re-submit the objected figures, with darker shading if possible, and note that the drawings are the best quality that applicants are able to produce.

Accordingly, to comply with the requirements under 37 C.F.R. §§1.84 and 1.121, submitted herewith are two (2) new sheets of drawings. Applicants respectfully request entry of the drawings into the above identified patent application. The drawings are of the highest quality available to applicants.

To comply with the requirements under 37 C.F.R. §§1.821-1.825, submitted herewith is a sequence listing of the nucleotide sequences presented in the above-referenced application. The sequence listing is being submitted in both paper copy and computer-readable form. Applicants respectfully request entry of the sequence listing into the above identified patent application. The undersigned hereby verifies that the paper copy and computer readable form of the sequence listing are identical and do not contain any new matter.

In the event the enclosed check is improper, or the fee calculation is in error, the Commissioner is authorized to charge any underpayment or credit any overpayment to the account of the undersigned attorneys, Account No. 04-1406.

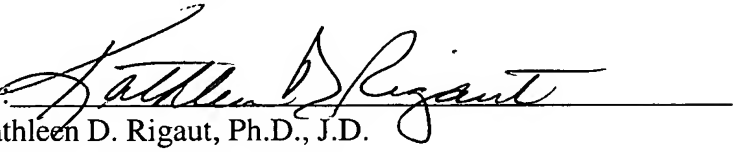
[ X ] A duplicate copy of this sheet is enclosed.

X ] Please address all communications to the following Correspondence Address:

Customer No. 000110

Kathleen D. Rigaut, Ph.D., J.D.
**DANN, DORFMAN, HERRELL AND SKILLMAN**
1601 Market Street, Suite 2400
Philadelphia, Pennsylvania 19103-2307
Telephone (215) 563-4100
Facsimile (215) 563-4044
Direct all inquiries to the undersigned agent

Respectfully submitted,
DANN, DORFMAN, HERRELL AND SKILLMAN
A Professional Corporation

By: 
Kathleen D. Rigaut, Ph.D., J.D.
PTO Registration No. 43,047

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|---|---|---|---|
| 10/684,742 | 10/14/2003 | Bernadino Ghetti | 1857-ARTI.0253US |

**CONFIRMATION NO. 4053**

000110
DANN, DORFMAN, HERRELL & SKILLMAN
saet
1601 MARKET STREET
PHILADELPHIA, PA 19103-2307

**FORMALITIES LETTER**

*OC000000013503341*

Date Mailed: 08/11/2004

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
  *A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 9A, 9B, 13C & 13F.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer

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readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **$65** for a Small Entity

- **$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

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***A copy of this notice MUST be returned with the reply.***

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE